Expiry Date - 01/08/2023

Development Control – Delegated Officer Report

Application Number: AWDM/0564/23 Recommendation – APPROVE

Site: 6 Liverpool Terrace Worthing West Sussex

Proposal: Change of use for 6 Liverpool Terrace (Excluding Field Row Element) ground floor to third floor inclusive from office use (Class B1) to residential use as a 5 bedroom house (Class C3) while retaining the basement floor as its existing use as an office. Replacement of existing timber external staircase with a steel staircase.

Application Number: AWDM/0565/23 Recommendation – APPROVE

Site: 6 Liverpool Terrace Worthing West Sussex

Proposal: Application for Listed Building Consent for change of use for 6 Liverpool Terrace (Excluding Field Row Element) ground floor to third floor inclusive from office use (Class B1) to residential use as a 5 bedroom house (Class C3) while retaining the basement floor as its existing use as an office. Replacement of existing timber external staircase with a steel staircase. Blocking up secondary doors to some rooms, enlarging an opening on the ground floor and kitchen installation to the rear room. Forming a new bathroom on the third floor and converting existing wc/kitchenettes in the rear addition into wc/shower rooms and one small kitchen.

Date of site visit: 31.05.23

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is part of a Georgian grade II listed terrace in the town centre, just to the north of Montague Street.

The listing description is as follows:

LIVERPOOL TERRACE 1. 5406 Nos 1 to 12 (consec) TQ 1402 NE 3/20 TQ 1402 SE 4/20 11.10.49. II GV 2. 1830-1835. Possibly designed by Amon Henry Wilds of Brighton, but Edward Snewin's "Glimpses of Old Worthing" gives the Architect as Henry Cotton. 4 storeys and basement with area (an extra storey added to Nos 8 and 10), 4 windows each. Stuccoed, the ground

floor rusticated. Curved bay of 3 windows each on all floors including the basement. Cornice and parapet. Stringcourse above 1st floor. Iron balconies on 1st floor (replaced at Nos 8, 11 and 12). Instead of an iron balcony No 10 has a narthex or colonnade of 5 large Doric columns over the pavement with a wide stuccoed balcony above having a balustrade supporting urns. Nearly all glazing bars intact. Rectangular fanlights to doorways and 8 panelled moulded doors. Railings to basement areas and front steps, with finials in form of spears impaling crescents.

There is a two storey later addition built in the 1980s.

Part of the terrace are in residential use (No 4 is wholly in residential use under WB/01/00862/FULL and 2nd and third storeys of Nos 2 and 3, and also 2 and 3 Field Row under WB/01/00826/FULL). Planning permission has recently been granted for part of 11 Liverpool Terrace to residential under AWDM/0731/20 and 8 and 9 under AWDM/0759/20.

The adjacent property Nos 5 is in offices. Permission has recently been granted at No 7 for a change of use under AWDM/1474/23 to residential.

To the rear of the site, opposite 6 Field Row, are the backs of the retail and restaurant properties 18-36 Portland Rd, some with flats above.

No 6 Liverpool Terrace as existing comprises 4 storeys plus basement, principally accessed from a front entrance, though separate basement access from a non-original wooden stairs.

The previous offices are accessed off a communal stairs.

All the offices in the application premises are vacant and have been so since at least 2014. Work has commenced on site.

No 6 Field Row sits across a small internal courtyard and is two storeys. It has independent access from Field Row and is residential use (AWDM/1533/15).

Field Row is a narrow lane flanked on the west side by the rear of the commercial properties in adjacent Portland Rd. On the east side of Field Row are the back yards of the Liverpool Terrace properties but also a several residential and commercial two storey properties fronting onto this lane.

Apart from the internal courtyard the property lacks any amenity space and there is no car parking.

The application site is in a Conservation Area and is in Flood zone 2.

The site also falls within a Key Office Location in the Worthing Local Plan and is within a Controlled Parking Zone.

Proposal

The application proposes the conversion of the ground, first, second and third floors from employment use to a single dwelling and the retention of the basement for employment use.

The application which has been amended since originally submitted includes:

Basement

The retention of the basement for offices, this includes a new steel staircase to replace existing timber staircase. This provides separate access for the commercial use to Liverpool Terrace. An access to Field Row will also be retained. The application includes the retention of the existing staircase to the ground floor, with a new fire door at basement level which will be kept locked.

Ground Floor

The existing doorway has been retrospectively removed between the front and rear rooms and opened up. The front room is shown as dining room and the rear element is proposed as a kitchen.

First floor

The first floor would comprise a living room and a bedroom, the existing central door between the two rooms will be removed and blocked up. The existing kitchenette is proposed to be removed and a new shower and wc provided.

Second Floor

The second floor would comprise two bedrooms. The central door between the two rooms would be blocked up. A new bathroom is proposed in the room off the proposed master bedroom. The door will be blocked up between these two rooms providing access for both bedrooms to this bathroom. A further bathroom will be formed in the kitchenette on the half landing

Third Floor

The third floor would provide two further bedroom. The central door currently between the two rooms would be blocked up. A further bathroom would be provided in the front small room. The existing kitchenette on the half landing would be refurbished.

Following negotiation details were provided of pipework runs to the proposed front bathrooms and extraction details.

The property would be secured with a sprinkler system the main pipework provided at the rear of the property.

Relevant Planning History:

AWDM/0434/14 Conversion from offices to residential to form 3 x one bed flats basement, second and third floors with access off Liverpool Terrace and one mews (one bed) cottage accessed from Field Row, together with allied alterations including replacement rear windows application withdrawn 20-02-2015

AWDM/0442/14 Application for Listed Building Consent for Conversion from offices to residential to form 3 x one bed flats basement, second and third floors with access off Liverpool Terrace and one mews (one bed) cottage accessed from Field Row, together with allied alterations including replacement rear windows
application withdrawn 20-02-2015

AWDM/1533/15 - Change of use of 6 Liverpool Terrace from Office Use (Class B1) to residential use (Class C3) and change of use of 6 Field Row from retail use (Class A1) to residential use (Class C3). Demolition of single storey rear addition, removal of front external staircase and minor alterations to layout. Replacement of 3 windows and 1 door and installation of new door and window on rear elevation

AWDM/1536/15- Application for Listed Building Consent for Change of use of 6 Liverpool Terrace from Office Use (Class B1) to residential use (Class C3) and change of use of 6 Field Row from retail use (Class A1) to residential use (Class C3). Demolition of single storey rear addition, removal of front external staircase and minor alterations to layout. Replacement of 3 windows and 1 door and installation of new door and window on rear elevation

AWDM/1660/17- Conversion of 6 Liverpool Terrace from Office Use (Class B1) to 4 no. 1 Bed flats-

REFUSED for the following reasons:-

1. The proposed conversion into four flats by reason of their size and internal alterations required to form the layout would cause substantial harm to the special architectural and historical qualities of this listed building. Without evidence to the contrary the proposal would also fail to preserve or enhance the appearance of South Street conservation area. The application is therefore contrary to the National Planning Policy Framework and Core Strategy policy 16 and fails the statutory tests in Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The size of the proposed ground floor flat would not provide accommodation which would comply with national or local space standards. It would therefore provide a poor standard of accommodation for the future occupier(s) the three further flats would also be of minimum size standard. The location of the refuse storage

area is also impractical. The conversion of the building for 4 flats and associated facilities would therefore represent an unacceptable intensification inappropriate to the character and size of the property. The proposal would therefore be contrary to policy 16 of the Worthing Core Strategy, the Council's 'Space Standards' and 'Guide for Residential Development' SPDs and the relevant policies of the National Planning Policy Framework.

AWDM/1370/19/ AWDM/1369/19- Conversion of the upper ground, first, second and third floors of 6 Liverpool Terrace from Office Use (Class B1) to 4no. 1-bedroom flats (Class C3). Curved extension to upper ground, first, second and third floors, replacement windows at third floor rear elevation. Lower ground and upper ground floor infill extension. Replacement external steps to Purbeck stone to lower ground front elevation. (Re-submission of AWDM/1660/17) Refused

1. The proposed conversion into four flats by reason of the internal and external alterations required to form the layout would cause substantial harm to the special architectural and historical qualities of this listed building. Without evidence to the contrary the proposal would also fail to preserve or enhance the appearance of South Street conservation area. The application is therefore contrary to the National Planning Policy Framework and Core Strategy policy 16 and fails the statutory tests in Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Dismissed on appeal

Consultations:

Environment Agency

We have no objection to the proposal provided that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

Condition – Flood risk

The development shall be carried out in accordance with the submitted Flood Risk Assessment (dated June 2023, ref: 6LT 02, by Jonathan Staples Surveying and Draughting Services) and the following mitigation measures it details:

- **The development shall not include any form of sleeping accommodation on the basement or ground floor levels.**

- **The electrical main ring for the basement floor shall be run from ground floor level, on a separately switched circuit from the ground**

floor.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

To reduce the risk of flooding to the proposed development and future occupants.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Please notify us immediately if you are unable to apply our suggested condition to allow further consideration and advice.

Advice to the Local Planning Authority

Flood warning and emergency response

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The Planning Practice Guidance (PPG) to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the NPPF and the guiding principles of the PPG.

Southern Water

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer

Adur and Worthing Councils

Conservation Design Architect

A site visit was carried out with the Conservation Design Architect in July 2023 with the applicants and their agent. Works had been carried out including a removed wall, re-plastering and a replacement ceiling as well as the removal of some architectural details.

The applicants were advised not to carry out any further work and that the removal of the staircase between the ground and basement was not acceptable. Details were requested of the replacement ceiling, the structural integrity of the remaining integral wall at ground floor, details of kitchen worktops and cupboards, pipe works and ventilation to bathrooms and kitchen and any sprinkler system.

A number of discussions took place with the applicant and agent and amended and additional plans were received.

As the structural engineer has identified, *the frame should be reverted to the original layout, and this includes the reinstatement of the diagonal member removed on the side wall panel.* This should be carried out using oak to match the rest of the framework.
I note the structural engineer's comments regarding the likely inability of the wall to meet modern standards.

Following the submission of plans and the sprinkler system the Conservation Design Architect had no objections.

Environmental Health:

There are no adverse EH comments for this application

PSH: No objections on PSH grounds

***West Sussex County Council*:**

Summary and Context
This application is for the change of use of grounds floor to third floor from offices (B1 Use) to residential (C3 Use) to form a five-bedroom dwelling. The site is located on Liverpool Terrace, an unclassified road subject to a speed restriction of 30 mph. Following an inspection of the application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

The LHA previously provided comments pertaining to highway matters for this site for application AWDM/1370/19, raising no objections. The Local Planning Authority (LPA) refused the application on grounds unrelated to highways, and a subsequent appeal was dismissed.

Content
No vehicular access is associated with this site. The proposed change of use to residential dwelling is not anticipated to give rise to a material intensification of movements to or from the site.

No vehicular parking is proposed. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require three car parking spaces. As such,vehicular parking would have to be accommodated on-street, as per the existing arrangement.

Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be a detriment to highway safety. The LHA does not anticipate that the proposed nil car parking provision would result in a detrimental highway safety impact, nor lead to a parking capacity issue. However, the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view.

No details of cycle parking provision have been provided. Cycling is a viable option in the area and the LHA request that secure cycle parking provision be demonstrated in accordance with WSCC Parking Standards, if there is space within the site to do so.

The site is situated in a sustainable town centre location within walking/cycle distance of local services, amenities and public transport links.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Representations:

Worthing Society:

Thank you for requesting our comments on the aforementioned application. These relate to a significant Grade II Listed Building in the South Street Conservation Area. The retention of important internal period features will be a relevant consideration.

I have now had the opportunity to discuss the plans with our Heritage Team. Whilst we have no objection, in principle, to the ‘change of use’ from office to

residential use as a five bedroom house, and retaining basement office space, we note that this proposal will necessitate considerable internal changes.

In view of the status of the building and the fact that the proposed architectural changes are outside our remit and area of expertise, we consider the application is a matter for guidance from the Design and Conservation Architect.

An objection has been received from a local resident commenting:-

There is not the requirement in the local area for basement office space without disability access, aircon & modern fitouts. I object to 6 Liverpool Terrace being split into a house and a basement office. Cutting the dwelling house off from the basement is separating the heritage asset for many years to come.

I have personally seen and used the basement staircase in 6 Liverpool Terrace, it is original and in very good condition for its age. It should be protected. The basement as of 6 months ago was in near original plan form and this too should be protected as one of the last of its kind in the area. Permission has already been previously granted for the entire building to be returned to a single dwelling house and at that points works were started as evidenced by the now occupied and sold 6 Field Row which formed part of that approved application.

The courtyard is joint owned and shared use with 6 Field Row, it is inconceivable a planning application to grant office space in the basement is possible without their explicit consent.

The council has an opportunity to support the restoration of Liverpool Terrace into beautiful historic townhouses. Or to encourage the division of the heritage assets.

I object to an external metal staircase serving the basement, it is not in keeping with the heritage asset & it will create noise when in use

Relevant Planning Policies

National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
Guide to Residential Development SPD;
Space standards SPD
Sustainable Economy' (WBC 2012)

Worthing Local Plan 2023

SP1 - Presumption in Favour of Sustainable Development
SP2 - Climate Change
SP3 - Healthy Communities

DM1 - Housing Mix
DM2 - Density
DM5 - Quality of the Built Environment
DM13 - Retail and Town Centre Uses
DM16 – Sustainable Design
DM17 – Energy
DM18 - Biodiversity
DM22 - Pollution
DM 24 – The Historic Environment

Planning Assessment

The principal issues raised by the planning application proposal are:-

- Principle of residential conversion and loss of employment use.
- Impact on the integrity of the design of the property and in particular the special character of the Listed Building.
- Impact on the amenity of future occupiers and neighbours
- Access and parking

Principle of loss of office and conversion to residential

The proposal entails the loss of office floor space over three floors to residential use. The lower ground floor would remain as an office.

Policy DM11 of the Worthing local Plan indicates that existing premises, sites or floorspace which are used for, or last used for, employment uses with the designated area will be protected against loss to other uses. Only in exceptional circumstances, where there is clear and robust evidence that the introduction of alternative uses is required to retain a diverse and resilient local economy, will such a change be considered.

The conversion of the property to residential has already been accepted in 2015 and there is history of other properties in this terrace granted permission for single dwelling houses in line with their original built use. The current application retains an element of employment in the basement, the property has been empty for a number of years and previous applications have provided justification of marketing. The current proposal involves little intervention to convert it to its original use as a dwelling and as a listed building it is important that the building is put into a viable use consistent with its conservation in accordance with para 203 of the NPPF. A residential use would be appropriate.

Impact on the integrity of the design of the property in particular the special character of the Listed Building.

The relevant consideration is the effect of the development on the historic character of the Listed Buildings, their setting and any special features of architectural and historic character that they possess.

Paragraph 205 of the National Planning Policy Framework is clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

This is reflected in policy DM24 of the Worthing local plan at para d) which states

Planning permission and/or Listed Building consent will only be granted provided that the appearance, significance, or historic character of the Listed Building is not adversely affected. The reinstatement or replication of original features such as windows or doors will be supported. Materials used must be consistent with those originally used or typical of the locality. Change of use may be supported where this secures the retention of a building of historic architectural interest where it could otherwise be lost

The building would originally have been occupied as single dwellings and the current application proposes to convert the majority of the property to a single dwelling. It is important to understand and assess the implications on the layout and fabric of the conversion. The starting point when considering proposals to a listed interior is always the plan form of the original building. All alterations should respect the original plan form and to work around it so that it remains clearly 'readable'. The typical floor plan of a Regency townhouse consists of two main rooms at each level with the main stairwell to one side. The 'spine wall' between the two rooms is of particular importance, both structurally and historically. The front rooms are usually the largest and most important rooms, particularly on the principal ground and first floors. From second floor level and above the front 'room' was usually originally divided into two unequal rooms, with the smaller room having originally been a dressing room.

Some work within the property has been carried out prematurely without consent and part of the wall between the ground floor rooms was removed as was the ceiling in the front room and some re-plastering undertaken. Some plumbing work was also carried out.

The application process has involved significant discussion with the Design and Conservation Architect and the submission of further details on the structural integrity of the removed wall, replacement ceiling details, a redesign of the kitchen fittings, details of pipework from bathrooms and a new sprinkler system. The internal staircase between the basement and ground floor has also been retained with a fire resistant locked door provided within the basement to provide for its separate use and occupation.

The proposed internal alterations would involve a limited number of alterations, an open ground floor layout and blocked doors on upper floors but these would be limited and the original layout would be largely maintained.

The basement would also be retained in layout with the internal wooden stairs retained. The metal staircase staircase to front from pavement to the basement off Liverpool Terrace would provide a staircase similar to others in the terrace and its siting would not impact on the character of the listed building.

The proposed external alterations to the building include the metal staircase and some pipework at the rear of the building which would not impact on the character and integrity of the building. As well as some external paintwork to match existing.

Overall, the proposed internal and external alterations would both preserve and enhance the character of the Listed Buildings and the Conservation Area within which they are located

The building is within the South Street Conservation Area, any development would need to preserve or enhance the established character and appearance of the conservation area. The conservation area document acknowledges the interest of Liverpool Terrace, most of which are listed and notes that the front elevations of Liverpool Terrace should be preserved. The front elevation would be maintained.

Amenity of future occupiers and neighbouring uses

Existing residents

The proposed change of use would not result in a level of occupancy which is likely to cause undue noise or disturbance to neighbouring properties, particularly taking into account the previous use over all floors as offices, and the fact that the proposed dwelling would be appropriate in this terrace which now supports further residential development.

There are no extensions proposed to the building and no additional windows or openings that would cause problems of overlooking onto neighbouring properties.

A letter has been received by a resident of the Borough regarding concerns that the basement would remain in commercial use. The comments raise concerns that the heritage asset would be split, the wooden staircase should be retained, the metal staircase will be noisy in use and that the office should not be accepted with the concern of the occupants of 6 Field Row.

The application shows a potential access at ground floor for the basement commercial unit to access onto Field Row. The red edge does not include the access to Field Row and ownership or access rights would be a private matter. The commercial unit is a retained element of the existing commercial use. It is considered with only a single unit of commercial accommodation potentially using this potential access point on occasions it would not have a significant impact on the occupants of 6 Field Row.

As indicated previously there is little intervention now at basement floor and although a new staircase would be constructed to Liverpool Terrace this would not have an impact on the listed building or conservation area and there are other examples in the terrace.

It is recommended that a condition is included to limit construction hours in order to safeguard the amenity of nearby residential occupiers.

Flooding and Drainage

The property is classified as within Flood Zone 2. There is no living accommodation in the basement. The Environment Agency have no objections and have recommended conditions.

Although drainage comments have not been received in connection with the current application. The previous application for 4 flats raised no objections from the drainage engineer. The application includes no increase in impermeable area. Surface Water drainage should be designed and constructed in accordance with Building Regulations.

Access and parking

The site is in a highly accessible location close to all facilities and excellent public transport and public parking and in a Controlled Parking Zone.

There is no off street parking but this is acceptable in these circumstances and is impractical given it is a Listed Building.

There is no suitable external space for cycle parking.

Sustainability and Ecology

The proposal will convert the building and in line with its conversion comply with up to date building regulations requirement for sustainability where appropriate for a listed building.

The building is a change of use within an urban setting as such is not required to provide supporting environmental information under policy DM18.

CIL

The existing use does not meet the lawful use test as it has been vacant since 2014. A CIL contribution of approx. £40,000 is required.

Recommendation

AWDM/0564/23

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Environment Agency
4. No external alterations
5. Construction hours

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Southern Water

Environment Agency advice

New address
CIL

AWDM/0565/23

Grant Consent subject to Conditions:-

1. Drawing Numbers
2. Standard 3 year time limit
3. Make good listed building
4. Any hole-cutting in the original ceilings for the fitting of sprinklers or alarms etc shall be sensitively repaired on a like-for-like basis in terms of materials and finish.
5. Replacement ceiling and cornice

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Expiry Date - 01/08/2023

Is recommendation contrary to letter(s) of representation? N

Case Officer: Jackie fox Date: 23.01.24

Authorised by: Jo Morin Date: 24.01.2024